IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 1057 of 2004

AND

CONTEMPT CASE NO.969 OF 2004

WRIT PETITION NO.1057 OF 2004:

Between:

Prof. M.N. Reddy (Rtd.), S/o. Malla Reddy,
R/o Chityal, Nalgonda District.

..... PETITIONER

AND

1 A.P. TRANSCO, rep. by Chairman and Managing Director, Vidyut Soudha, Hyderabad.
2 The Superintending Engineer, AP TRANSCO, Nalgonda.
3 The Divisional Engineer, AP TRANSCO, Bhongir, Nalgonda District.
4 The Assistant Engineer, AP TRANSCO, Chityal, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not considering the representations made by the petitioner dated 29-11-03 and 02-12-2003 for returning of the starters belonging to the petitioner illegally taken away by the employees of the respondent Corporation and for duly serving the bill of charges as required under the provisions of section 24 of the Indian Electricity Act r/w clause 32 of the terms and conditions of supply as totally arbitrary, illegal and without jurisdiction and consequently direct the respondents to dispose of the representations of the petitioner dated 29-11-2003

and 02-12-2003 for taking action including return of starters from service connection Nos. 741 and 975.

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CONTEMPT CASE NO : 969 of 2004

(Contempt Case U/s. 10 to 12 of Contempt of Courts Act to punish the Respondents herein for violating, disobeying the Order of the High Court dated 21.01.04 in WPMP No.1379 of 2004 in WP No.1057 of 2004)

Between:

Prof. M.N. Reddy S/o Malla Reddy,
R/o Chityal, Nalgonda Dist.

..... PETITIONER

AND

1 A.P. TRANSCO, Rep. by chairman & Managing Director,
Smt. Racheal Chatterjee, Vidyut Soudha, Hyderabad.
2 Sri. Lakshmi Narayana, Superintending Engineer,
A.P. TRANSCO, Nalgonda
3 Sri. G.V.Ranga Rao, Divisional Engineer,
A.P. TRANSCO, Bhongir, Nalgonda
4 K.Ramakrishna Reddy, The Assistant Engineer,
A.P. TRANSCO, Chityal, Nalgonda

.....RESPONDENTS

Counsel for the Petitioner:MR.S.LAKSHMA REDDY

Counsel for the Respondents: MRS.M.VINOBHA DEVI (SC FOR APTRANSCO)

The Court made the following :

ORDER:-

Heard both the learned counsel. Since both the matters are connected, at the request of both the learned counsel are taken up for disposal.

The case of the petitioner in the writ petition is that in spite of filing two representations dated 29-11-2003 and 2-12-2003, no orders have been passed by the respondents. Further, it is pointed out that even though the petitioner did not commit any irregularity, the respondent-authorities have visited the petitioner's property and taken away the starters. Therefore, the petitioner filed the above two representations and the same are pending consideration by the respondents.

This Court granted interim orders on 21-1-2004 while admitting the writ petition in W.P.M.P.No.1379 of 2004 and since the interim direction given by this Court has not been complied with by the respondents, the petitioner filed Contempt Case No. 969 of 2004.

Having heard the submissions made on either side and on perusal of the material on record, it is seen that there is no dispute with regard to pendency of the representations of the petitioner before the respondent-authorities. In view of the same, it is not necessary to go into the merits of the matter. Suffice it to direct the third respondent to consider the representations of the petitioner and pass orders on merits within two weeks from the date of receipt of the order.

Accordingly, the writ petition is disposed of directing third respondent to dispose of the representations of the petitioner within a period of two weeks from the date of receipt of the order. Contempt Case is dismissed.

27—08—2004.

Stv/-

To

1 The Chairman and Managing Director, A.P. TRANSCO, Vidyut Soudha, Hyderabad.
2 The Superintending Engineer, AP TRANSCO, Nalgonda.
3 The Divisional Engineer, AP TRANSCO, Bhongir, Nalgonda District.
4 The Assistant Engineer, AP TRANSCO, Chityal, Nalgonda District pies

5 Two CD copies.